

MATT COOK AS PERSONAL
REPRESENTATIVE OF THE
ESTATE OF DAVID SLAGLE III.

PLAINTIFF,

v.

BLUELINX CORPORATION

DEFENDANT.

**DEFENDANT BLUELINX
CORPORATION RESPONSES TO
LOCAL RULE 26.01
INTERROGATORIES**

(A) State the full name, address, and telephone number of all persons or legal entities who may have a subrogation interest in each claim and state the basis and extent of that interest.

At this time, Defendant is not aware of any persons or legal entities that may have a subrogation interest in this litigation. However, Plaintiff's Complaint includes allegations to the effect that David Slagle, III sustained fatal injuries in his workplace, Blackmon Warehouse Systems, Inc., so Defendant expects one or more worker's compensation carriers may have a subrogation interest in this lawsuit.

Plaintiff's claims for damages should be tried by a jury.

(C) State whether the party submitting these responses is a publicly owned company and separately identify: (1) any parent corporation and any publicly-held corporation owning ten percent (10%) or more of the party's stock; (2) each publicly owned company of which it is a parent; and (3) each publicly owned company in which the party owns own ten percent or more of the outstanding shares.

Response:

BlueLinx Corporation is not a publicly owned company. BlueLinx Corporation's parent corporation is BlueLinx Holdings Inc. BlueLinx Holdings Inc. is a publicly-held corporation. BlueLinx Corporation is neither the parent of nor owns ten percent or more of the outstanding shares of any publicly owned company.

(D) State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division). See Local Civil Rule 3.01.

Response:

This lawsuit was filed by Plaintiff in the Court of Common Pleas for Hampton County, South Carolina, and Defendant removed the case to this division because it encompasses Hampton County. However, the events that form the basis of this lawsuit occurred in Charleston County, South Carolina, and Defendant does not reside or do business relating to Plaintiff's allegations in Hampton County. In addition, upon information and belief, Plaintiff is not a resident of Hampton County. For these reasons, Defendant intends to move to transfer this case to the Charleston Division.

(E) Is this action related in whole or in part to any other matter filed in this District? If so, provide: (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases which *may be* related regardless of whether they are still pending. Whether cases *are* related such that they should be assigned to a single judge will be determined by the Clerk of Court based on a determination of whether the cases: arise from the same or identical transactions, happenings, or events; involve the identical parties or property; or for any other reason would entail substantial duplication of labor if heard by different judges.

Response:

To the best of Defendant's knowledge, this action is not related to any other case filed in this District.

(F) If the defendant is improperly identified, give the proper identification and state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.

Response:

Defendant is properly identified in the Summons and Complaint.

(G) If you contend that some other person or legal entity is, in whole or in part liable to you or the party asserting the claim against you in this matter, identify such person or entity and describe the basis of said liability.

Response:

As noted above, the underlying incident occurred at Plaintiff's place of employment, Blackmon Warehouse Systems, Inc. Defendant has a contract with

Blackmon Warehouse Systems, Inc. whereby Blackmon Warehouse Systems, Inc. is required to indemnify Defendant in the event Defendant is found liable in this matter. Otherwise, Defendant is not aware at this time of any other nonparties that may be liable to Plaintiff or Defendant.

BOWMAN AND BROOKE LLP

s/Angela G. Strickland

Angela G. Strickland

Federal Bar No.: 9824

E: angela.strickland@bowmanandbrooke.com

Kevin J. Malloy

Federal Bar No.: 11419

E: kevinmalloy@bowmanandbrooke.com

1441 Main Street, Suite 1200

Columbia, SC 29201

Tel: (803) 726-7420

Fax: (803) 726-7421

Counsel for Defendant BlueLinx Corporation

April 10, 2019

Columbia, South Carolina